

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

**IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION**

No. MD-15-02641-PHX-DGC

**MASTER SHORT FORM COMPLAINT
FOR DAMAGES FOR INDIVIDUAL
CLAIMS**

Plaintiff(s) named below, for their Complaint against Defendants named below,
Incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc # 364).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party: MARIA B. SANCHEZ
2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant: NEW MEXICO

1 5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
2 the time of injury:

3 _____

4 6. Plaintiff's current state(s) [if more than one Plaintiff] of residence: NEW
5 MEXICO

6 _____

7 7. District Court and Division in which venue would be proper absent direct filing:

8 UNITED STATES DISTRICT COURT, NEW MEXICO

9 8. Defendants (check Defendants against whom Complaint is made):

10 ☒ C.R. Bard Inc.

11 ☒ Bard Peripheral Vascular, Inc.

12 9. Basis of Jurisdiction:

13 ☒ Diversity of Citizenship

14 ☐ Other: _____

15 a. Other allegations of jurisdiction and venue not expressed in Master
16 Complaint:

17 _____

18 _____

19 10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a
20 claim (Check applicable Inferior Vena Cava Filter(s)):

21 ☐ Recovery[®] Vena Cava Filter

22 ☐ G2[®] Vena Cava Filter

☐ G2[®] Express (G2[®] X) Vena Cava Filter

☐ Eclipse[®] Vena Cava Filter

☐ Meridian[®] Vena Cava Filter

☒ Denali[®] Vena Cava Filter

☐ Other: _____

11. Date of Implantation as to each product: September 16, 2015

12. Counts in the Master Complaint brought by Plaintiff(s):

☒ Count IV: Negligence - Design

☒ Count V: Negligence - Manufacture

☒ Count VI: Negligence – Failure to Recall/Retrofit

☒ Count VII: Negligence – Failure to Warn

☒ Count VIII: Negligent Misrepresentation

☒ Count IX: Negligence *Per Se*

☒ Count X: Breach of Express Warranty

☒ Count XI: Breach of Implied Warranty

☒ Count XII: Fraudulent Misrepresentation

☒ Count XIII: Fraudulent Concealment

☒ Count XIV: Violations of Applicable TENNESSEE (insert state)
Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade
Practices

☐ Count XV: Loss of Consortium

☐ Count XVI: Wrongful Death

☐ Count XVII: Survival

☒ Punitive Damages

☐ Other(s): _____ (please state the facts supporting
this Count in the space immediately below)

RESPECTFULLY SUBMITTED this 20th day of December, 2016.

EXCOLO LAW, PLLC

By /s/ Keith L. Altman

Keith L. Altman

Excolo Law

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Attorneys for Plaintiffs

I hereby certify that on this 20th day of December 2016, I forwarded this document to the Clerk's Office via electronic filing.

By /s/ Keith L. Altman

Keith L. Altman